UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

NETLIST, INC.,	
Plaintiff,)	
) vs.)	Case No. 2:22-cv-203-JRG
MICRON TECHNOLOGY, INC.; MICRON) SEMICONDUCTOR PRODUCTS, INC.;) MICRON TECHNOLOGY TEXAS LLC,)	JURY TRIAL DEMANDED
Defendants.	

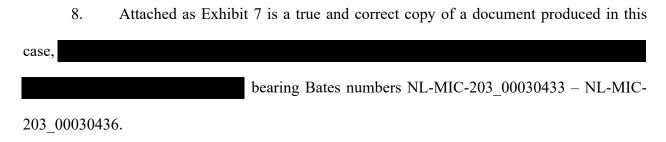
DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES

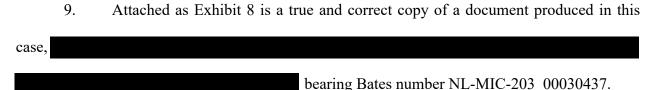
I, Michael R. Rueckheim, declare as follows:

- 1. I am an attorney at the law firm of Winston & Strawn LLP, counsel of record for Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, "Micron") in the above captioned matter. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron's Motion for Summary Judgment of No Pre-Suit Damages.
- 2. Attached as Exhibit 1 is a true and correct copy of a document produced in this case, bearing bates numbers NL-MIC-203_00042010 NL-MIC-203_00042043.
- 3. Attached as Exhibit 2 is a true and correct copy of excerpts from Mr. David Kennedy's expert report in this case, dated October 4, 2023.
- 4. Attached as Exhibit 3 is a true and correct copy of a document produced in this case, bearing Bates numbers NL-MIC-203 00042085 NL-MIC-203 00042147.
- 5. Attached as Exhibit 4 is a true and correct copy of a document produced in this case,

 and bearing Bates numbers NL-MIC-203_00042084.
- 6. Attached as Exhibit 5 is a true and correct copy of a document produced in this case,

 and bearing Bates numbers NL-MIC-203-463_00030723 NL-MIC-203-463_00030741 (NETLIST_SAMSUNG_EDTX00037749 NETLIST_SAMSUNG_EDTX00037767).
- 7. Attached as Exhibit 6 is a true and correct copy of a document produced in this case, bearing Bates numbers NL-MIC-203-463_00030743 NL-MIC-203-463_00030755.





- 10. Attached as Exhibit 9 is a true and correct copy of
- 11. Attached as Exhibit 10 is a true and correct copy of excerpts of Netlist's third supplemental responses and objections to Micron's first set of interrogatories, dated September 20, 2023.
- 12. Attached as Exhibit 11 is a true and correct copy of excerpts of Netlist's first supplemental responses and objections to Micron's second set of interrogatories, dated September 20, 2023.
- 13. Attached as Exhibit 12 is a true and correct copy of excerpts of the deposition transcript of the deposition taken September 13, 2023.
- 14. Attached as Exhibit 13 is a true and correct copy of a document produced in this case, bearing Bates numbers NL-MIC-203-463_00030757 NL-MIC-203-463_00030758.
- 15. Attached as Exhibit 14 is a true and correct copy of excerpts of the October 23, 2023 motion hearing transcript before Judge Payne.

I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct.

Executed on November 14, 2023, in Redwood City, California.

/s/ Michael R. Rueckheim

Michael R. Rueckheim